

ATTACHMENT 1
Application of DataAccess America Inc.

Question 9

This Application qualifies for streamlined processing pursuant to Section 63.12(c)(1)(v) of the Commission's Rules. As set forth below, because DataAccess America Inc. ("DataAccess") is affiliated under the Commission's Rules with PCCW-HKT Telephone Limited, the dominant local exchange carrier in Hong Kong, DataAccess agrees to be classified as a dominant carrier with respect to the US-Hong Kong route, without prejudice to its right to petition for reclassification at a later date. Because Hong Kong is a Member of the World Trade Organization ("WTO"), and DataAccess accepts dominant carrier classification on the US-Hong Kong route, DataAccess' application is eligible for streamlined processing.

Questions 11 & 12

DataAccess provides the following information and certifications as required in Section 63.18(i) through (m) of the Commission's Rules, 47 C.F.R. § 63.18(i)-(m):

(i) DataAccess certifies that it is not a foreign carrier within the meaning of Section 63.09(d) of the Commission's Rules. However, DataAccess is affiliated within the meaning of Section 63.09(e) of the Commission's Rules with DataAccess (India) Limited, a new competitive international long distance carrier in India, and with PCCW-HKT Telephone Limited, the incumbent local exchange carrier in Hong Kong.

(j) DataAccess certifies that it seeks to provide international telecommunications services to all global points, including Hong Kong and India, where DataAccess has foreign carrier affiliates as indicated in paragraph (i) above. The only exception is DataAccess is not seeking authority to provide service to any point on the Commission's Exclusion List, which currently is only Cuba on a facilities-basis.

(k) Hong Kong and India are both Members of the WTO.

(l) DataAccess may resell the international switched services of unaffiliated U.S. carriers for the purpose of providing telecommunications services to Hong Kong and India, where DataAccess is affiliated with foreign carriers as described above. DataAccess' affiliate is PCCW-HKT Telephone Limited, the incumbent local exchange carrier in Hong Kong that was formerly known as Hong Kong Telecom, and appears on the Commission's *List of Foreign Telecommunications Carriers that are Presumed to Possess Market Power in Foreign Telecommunications Markets*, released June 18, 1999. Therefore, DataAccess agrees to file quarterly traffic reports pursuant to Section 43.61(c) of the Commission's Rules with respect to the US-Hong Kong route.

(m) Not applicable (see paragraph (l) above).

Question 15

DataAccess has not previously received authority under Section 214 of the Communications Act.